

**DEVELOPMENT ASSESSMENT
&
ALTERNATIVE EQUIVALENT COMPLIANCE**



January 2010

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

GENERAL OVERVIEW

BRIEF DESCRIPTION

This application packet is intended to gather sufficient information for City staff to provide preliminary feedback to applicants before submitting a formal application for zoning, *managed growth agreements*, subdivision, site plan, or building plan approval. It may be used for either a formal Development Assessment or for evaluating Alternative Equivalent Compliance under the Design Standards and Mixed Use section of City Code. A brief explanation of these processes follows.

DEVELOPMENT ASSESSMENT

Any person contemplating development of land within the jurisdiction of the City of Austin may request a Development Assessment as provided in Sec. 25-1-62 of the City Code. A Development Assessment is a preliminary analysis by City staff of the applicable general procedures and requirements of the Land Development Code and an estimate of fees required.

A Development Assessment may consist of:

- A Process Assessment which identifies the applicable review process and estimates fees.
- A Project Assessment which identifies the applicable review process, estimates fees, and identifies potential major issues for the proposed project.
- A Planned Unit Development (PUD) Pre-Application, which is a mandatory Project Assessment for a proposed PUD under City Code Chapter 25-2, Subchapter B, Article 2, Division 5. PUD zoning is intended to produce development superior to the development that would occur under conventional zoning and subdivision regulations.
- A Managed Growth Agreement Pre-Application, which is a Project Assessment for planning and developing large projects, long-term projects, or projects that have special benefits that are in the public interest as provided in City Code Section 25-1-540. *
- A Subdivision Pre-Application, which is a Project Assessment for a proposed subdivision.
- A Site Plan Pre-Application, which is a Project Assessment for a proposed site plan.

Note: Except for the PUD Pre-Application, all development assessments are optional. A favorable assessment does not constitute approval of a project.

PLANNED UNIT DEVELOPMENT (PUD) PRE-APPLICATION FILING REQUIREMENTS AND REVIEW CRITERIA

The purpose of a pre-application is to (1) establish criteria for determining whether a PUD creates development superior to what would occur under conventional zoning, and (2) to provide the applicant with a Project Assessment, including a Council briefing, to determine whether the PUD meets these criteria. The applicant is required to identify how the proposed PUD meets the minimum criteria (Tier One Requirements) and how the project is superior (Tier Two Requirements). The applicant may also select Development Bonuses in order to achieve additional height and density in project design. Tier One Requirements, Tier Two Requirements, and Development Bonuses are further detailed on Page 22.

Tax Plats - Tax plats are used to obtain property owner names and addresses for notification. Tax plats must be submitted with all zoning applications and shall meet the following requirements:

One blue-line copy of each of the current tax plats, showing all properties within 500 feet of the tract for which zoning approval is being requested. Include all plats referred to in the 500 feet surrounding the tract. Outline the subject tract in red. (DO NOT SPLICE THE MAPS TOGETHER).

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

Tax plats can be obtained from:

- Hays County: Hays County Clerk's Office; 137 N. Guadalupe Street; San Marcos, phone: (512) 393-7330
- Travis County: Travis Central Appraisal District, at Walnut Creek Business Park, 8314 Cross Park Drive, Austin (U.S. 290 & Cross Park Drive), phone (512) 834-9138. Tax plats for Travis County may be printed from TCAD online, www.traviscad.org.
- Williamson County: Williamson County Clerk, Justice Center Building, 405 Martin Luther King Street, Georgetown, phone: (512) 943-1515.

For projects located outside of Travis County, applicants must submit a list of names and addresses of all property owners located within a 500-foot radius of the subject tract

ALTERNATIVE EQUIVALENT COMPLIANCE

Alternative Equivalent Compliance is an optional process for obtaining preliminary approval of non-standard designs or materials for a site plan or building plan. The procedures for and applicability of Alternative Equivalent Compliance are described in Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*), Section 1.5 of the City Code. An applicant may request a response as either an informal recommendation or a formal decision. For an informal recommendation, submittal of an application is not required; however, the applicant should consult page 16 of this application before scheduling a pre-application conference with City staff. For a formal decision, this application must be submitted at least 10 days prior to the pre-application conference.

SUBMITTAL

A development assessment application can be submitted any working day of the week. A written staff response will be provided within 21 calendar days of the submittal date. Applications may be submitted at the Intake Center of the Planning and Development Review Department on the Fourth Floor of One Texas Center, 505 Barton Springs Road. Please call 974-7208, 974-2681 or 974-2350 to schedule an appointment.

CASE MANAGER

A Case Manager is assigned to each application to act as your liaison and main contact with the City of Austin. Once your application has been submitted, all questions, problems, and conflicts should be directed to your Case Manager. If you need to see your Case Manager, please make an appointment to ensure that your Case Manager is available.

ETHICS AND FINANCIAL DISCLOSURE INFORMATION

If you or your agent/representative were City employees or officials within the past 24 months, you may be subject to the City's Ethics and Financial Disclosure requirements (see City Code Chapter 2-7). Copies of Chapter 2-7 are available from the City Clerk's Office.

SUBMITTAL INFORMATION & REQUIREMENTS

All applicants should complete pages 5 and of this application.

In addition to pages 5 and 6, applicants for a Development Assessment should also complete pages 7 through 14.

In addition to pages 5 and 6, applicants for Alternative Equivalent Compliance should also complete pages 17 through 20.

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

DEVELOPMENT ASSESSMENT APPLICATION

DEPARTMENTAL USE ONLY

FILING DATE _____ ACCEPTED BY _____
FILE NUMBER _____ CASE MANAGER _____

REQUESTED PROCESS (please check one)

_____ PROJECT ASSESSMENT _____ PUD PRE-APPLICATION _____ SUBDIVISION PRE-APPLICATION
_____ PROCESS ASSESSMENT _____ SITE PLAN PRE-APPLICATION _____ ALTERNATIVE COMPLIANCE

NAME AND LOCATION

PROJECT NAME _____
SUBDIVISION NAME _____ LOT _____ BLOCK _____
STREET ADDRESS _____
STREET LOCATION _____ AT _____
OR _____ DISTANCE IN _____ DIRECTION FROM THE INTERSECTION OF _____
AND _____

ATTRIBUTES

JURISDICTION _____ F=Full Purpose 2=2 mile ETJ R = Travis WM = Williamson BL = Blanco
L=Limited Purpose 5=5 mile ETJ COUNTY _____ HY= Hays BU = Burnet
IF WITHIN A MUNICIPAL UTILITY DISTRICT, GIVE NAME _____
WATERSHED(S) _____ IN RECHARGE ZONE YES NO
WATERSHED CLASS _____ (U)rban (S)uburban (R)ural Water Supply, Suburban Water Supply (I), (II), (III)
CITY GRID MAP NUMBERS _____ TAX
PLAT NUMBERS _____
SIZE OF PROPERTY _____ SQ.FT. _____ ACRES
SIZE OF PROJECT _____ SQ. FT. _____ ACRES

RELATED CASES

DEVELOPMENT ASSESSMENT CASE NO _____ SITE PLAN CASE NO _____
NEIGHBORHOOD PLAN AMENDMENT NO _____
ZONING CASE NO _____ SUBDIVISION CASE NO _____
OTHER (specify) _____

OWNER INFORMATION

NAME _____ CONTACT _____
STREET ADDRESS _____
CITY / STATE / ZIP _____ TELEPHONE # _____

PRIMARY CONTACT AGENT INFORMATION

ENGINEER / SURVEYOR INFORMATION

DESIGNER INFORMATION

LAND USE CATEGORIES

Single Family.....SF
Multi-Family.....MF
Duplex.....DUP
Public/Quasi-Public...PUB

Planned Unit Development.....	PUD
Commercial-Office.....	OFC
Commercial-Retail.....	RET
Commercial-Other.....	COMM

Industrial.....IND
Greenbelt.....GRBLT
Right-of-Way.....ROW

PROPOSED LAND USE (by summary)

Describe proposed use in detail (e.g., two-story medical office, antique shop within an existing structure, fifteen two-bedroom apartments , etc.)

[illegible]

TOTALS:

PLEASE NOTE: The signature below of an applicant or designated agent authorizes City of Austin staff to visit and inspect the property for which this application is being submitted.

Applicant's signature _____

Date _____

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

SUBMITTAL REQUIREMENTS FOR DEVELOPMENT ASSESSMENT

GENERAL SUBMITTAL REQUIREMENTS	PRE-APPLICATION			PROJECT ASSMT
	SUBD	SITE PLAN	P.U.D. (Mandatory)	AMENDED PLAT
Application form signed by record owner or duly authorized agent.	•	•	•	•
Filing fee (See Subdivision handout).	•	•	•	•
Folded blue-line copies of the proposed subdivision layout or plan, existing and proposed land use plan or topographic map.	20	17	20	20
Drainage plans.				5
Copies of Traffic Impact Analysis (TIA), if applicable.		5	5	3
Copies of Shared Parking Analysis, if applicable.		3	3	
Tax plat with the subject tract outlined in red.	1	1	1	1
Tax plats showing all properties within 500 feet of the tract for which a PUD is requested.			1	
Market analysis.				2
Copies of letter or report describing the project, potential waivers, variances etc. or providing necessary statistical data; a description of the intent and purpose of a proposed Planned Unit Development (PUD) or General Report on a Project Assessment.	20	17	20	20
Copies of all covenants and restrictions which address the maintenance and taxation of all common areas.			20	
ITEMS REQUIRED TO BE SHOWN ON THE PLAT OR PLAN				
Date	•	•	•	•
North point	•	•	•	•
Scale: Finals: 1" = 100' Prelims: 1" = 50' less than fifty acres 1 = 100' for 0-100 acres 1 = 200' for 100 + acres	•	•	•	•
Accurate adjacent property lines and names of adjacent subdivisions.	•			
Topography at two-foot vertical contours, maximum 100 feet horizontally apart based on City Standard or USGS date (identify which data used on plan). Extend topography 500 feet beyond the site.	•	•	•	•
Slope map for buildable site area determination at: 0-15%, 15-25%, 25-35%, and >35%.	•			
Boundary lines with bearings and distances.	•	•	•	•
Acreage or square footage of subdivision or site.	•	•	•	•
City limit line, when located in or near the site.	•	•	•	•
Limits of construction, including access drives.		•		
Location of centerline of existing and proposed water courses, railroads, drainage, and transportation features.	•	•		•
Approximate limits of 100-year and 25-year flood plains.	•	•	•	•
Location, size, and flowline of existing storm sewers/drainage structures in or adjacent to the subdivision.		•		•
Names, locations, and sizes of existing and proposed streets, alleys, and easements, including pavement and right-of-way widths.	•	•	•	•
Location of existing and proposed off-street parking, vehicle use areas, median breaks, sidewalks, and driveways.		•	•	•
Location of existing and proposed parks (public and private), and any other public spaces on or adjoining the site.	•	•	•	•
Location of environmentally sensitive areas (e.g. faults, fractures, sinkholes, bluffs, seeps, and springs); environmentally protected areas, as defined in watershed ordinances (e.g. water quality zones); scientific vegetation areas showing major tree and vegetation clusters and types from aerial photos or site checks.	•	•	•	•
Location, diameter, type and crown size of existing trees eight inches or larger in diameter located on the site or having critical root zones extending into the site.	•	•		•
Location of landscape islands, peninsulas, landscaped medians, and buffering of parking and vehicular use areas from the street view or any other landscape improvements.		•		•
Location of any fences, walls or similar land improvements.		•	•	•
Location of existing and proposed electric utility facilities on site and on adjacent rights-of-way.		•		•
Location of all existing and proposed fire hydrants, including public fire hydrants located within 500-feet of property boundaries.		•		•
Location and dimensions of existing structures (showing which are to remain and which are to be demolished; for demolitions, show a dashed footprint) and proposed structures.		•	•	
Proposed method of providing the following services: • Water service including gallons per day requirement • Wastewater disposal including gallons per day generated • Preliminary stormwater management analysis • Location of all required or proposed public facilities			•	
Phasing of development and manner in which each phase can exist as a stable independent unit consistent with provision of adequate public facilities and services.			•	

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

CITY OF AUSTIN TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: _____

LOCATION: _____

APPLICANT: _____ TELEPHONE NO: _____

APPLICATION STATUS: DEVELOPMENT ASSESSMENT: _____ ZONING: _____ SITE PLAN: _____

EXISTING:

FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY

PROPOSED

FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY

ABUTTING ROADWAYS

FOR OFFICE USE ONLY

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION

FOR OFFICE USE ONLY

- A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.
- A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.
- The traffic impact analysis has been waived for the following reason: _____
- A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY: _____ DATE: _____

DISTRIBUTION:

- Sets a postponement date and time at the City Council hearing so that renotification of residents and property owners is not necessary.
- Limits the time a hearing can be postponed to two months for both proponents and opponents, unless otherwise approved by Council so that renotification of residents and property owners is not necessary.
- Allows only one postponement for either side, unless otherwise approved by Council.

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

- Requires that all requests for postponements be submitted in writing to the director of the Planning and Development Review Department at least one week prior to the scheduled Council meeting. The written request must specify reasons for the postponement.
- The Director of the Planning and Development Review Department shall provide a recommendation regarding the validity of the postponement request as the Director deems appropriate.
- Eliminates the automatic granting of a postponement of the first request.
- Authorizes Council to consider requests that are not submitted timely.

_____ FILE _____ CAP. METRO _____ TXDOT _____ TRANS. REV. _____ TRAVIS CO. _____ TRANS DEPT.

TOTAL COPIES: _____

NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application. Therefore, this completed and reviewed form **MUST ACCOMPANY** any subsequent application for the IDENTICAL project. **CHANGES** to the proposed project will **REQUIRE** a new TIA determination to be made.

CITY OF AUSTIN WATER AND WASTEWATER UTILITY

SERVICE AREA AND SERVICE EXTENSION DETERMINATION WORKSHEET

CASE NUMBER _____

PROJECT NAME _____

PROPERTY LOCATION DESCRIPTION (Attach map) _____

GRID LOCATION NUMBER _____ LUEs _____ ACRES _____

INTENDED USE _____

APPLICANT _____ TELEPHONE NO _____

CONTACT PERSON / ENGINEER _____ TELEPHONE NO _____

FOR OFFICE USE ONLY

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

Response Due Date:

Service Area Amendment Required YES _____ NO _____

Service Extension Request Required YES _____ NO _____

Administrative Service Extension Required:

Water YES _____ NO _____ FEE _____

Wastewater YES _____ NO _____ FEE _____

City Council Service Extension Required:

Water YES _____ NO _____ FEE _____

Wastewater YES _____ NO _____ FEE _____

Comments: _____

UTILITY CERTIFICATION

DATE

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

CITY OF AUSTIN DEVELOPMENT ASSESSMENT QUESTIONNAIRE

Please provide the following information, where applicable, regarding your proposed development.

1. Limit of construction is _____ square feet or _____ acres (limit of construction is an area within which any type of construction will occur, i.e., area for erosion controls, driveway, truck routing, etc.).
2. Proposed building height is _____ feet.
3. List uses on all properties located within 540 feet of boundaries of the subject tract (a sketch or other diagram may be provided to expedite your assessment).

List any compatibility standards to be waived: _____

4. Access onto the following streets is proposed: _____
-
-

In each of the following questions 5-22, please mark either the “yes” or “no” box to indicate whether the statement applies or does not apply to your proposal; and if applicable, mark additional boxes and provide requested information regarding your project.

- | | | | |
|----|-----------------------|-----------------------|--|
| | Yes | No | |
| 5. | <input type="radio"/> | <input type="radio"/> | Proposal involves a restaurant which will be open after midnight. |
| | Yes | No | |
| | <input type="radio"/> | <input type="radio"/> | 50% or more of restaurant sales will be from the sale of alcoholic beverages. |
| | Yes | No | |
| 6. | <input type="radio"/> | <input type="radio"/> | A Municipal Utility District (MUD) is to be created. |
| | Yes | No | |
| | <input type="radio"/> | <input type="radio"/> | In-district service, out-of-district service, or annexation to the MUD is proposed.
(Indicate which)
Name of MUD _____ |
| | Yes | No | |
| | <input type="radio"/> | <input type="radio"/> | Revision to a MUD land plan is proposed. |
| | Yes | No | |
| | <input type="radio"/> | <input type="radio"/> | Bonds are to be issued for a MUD. |
| | Yes | No | |
| 7. | <input type="radio"/> | <input type="radio"/> | City water/wastewater service will be requested. |

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

	Yes	No	
8.	<input type="radio"/>	<input type="radio"/>	<p>The site has severe topographical or environmental constraints (steep slopes, faults, large groves of trees, etc.). Describe the situation_____.</p> <p>_____</p> <p>_____</p>
	Yes	No	
9.	<input type="radio"/>	<input type="radio"/>	<p>Trees are located on site</p> <p style="margin-left: 20px;"><input type="radio"/> 8-inch and larger in diameter.</p> <p style="margin-left: 20px;"><input type="radio"/> 19-inch and larger in diameter</p>
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	One or more 19-inch diameter trees are to be removed.
	Yes	No	
10.	<input type="radio"/>	<input type="radio"/>	<p>Property is exempted from Comprehensive Watershed Ordinance. Indicate type of exemptions (provide details, dates, etc.)._____</p> <p>_____</p>
	Yes	No	
11.	<input type="radio"/>	<input type="radio"/>	Property to be subdivided into_____ lots (indicate the number of lots).
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	<p>Portion of lot has been split off and sold by deed.</p> <p>Specify date when this occurred:_____</p>
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Existing duplex lot to be divided.
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Duplex in existence prior to March 1, 1987.
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Duplex lot previously divided to be recombined.
	Yes	No	
12.	<input type="radio"/>	<input type="radio"/>	Site will be cleared.
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Fill will be placed on site.
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Rough cut permit will be needed (i.e. street grading).
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Planned Unit Development (PUD) proposed.
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Private streets proposed.
	Yes	No	
13.	<input type="radio"/>	<input type="radio"/>	Planned Development Area (PDA) proposed.

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

Yes No

14. ☐ ☐ Current improvements on the site:
- ☐ Paved parking = _____ square feet.
 - ☐ House = _____ square feet.
 - ☐ Other structure = _____ square feet.
 - ☐ Driveway = _____ square feet.
 - ☐ Other = _____ square feet.

Yes No

15. ☐ ☐ Will be altering, restoring or adding on to an existing structure or adding to existing parking:
- ☐ Only moving location of wall
 - ☐ Only disaster restoration
 - ☐ Historic restoration
 - ☐ Addition of _____ square feet of building at an estimated cost of \$_____
 - ☐ Addition of _____ square feet to existing parking

Yes No

16. ☐ ☐ Will be demolishing an existing structure on the site. If yes, the year the structure was built. _____

Yes No

- ☐ ☐ Will be demolishing a structure in addition to other site work.

Yes No

- ☐ ☐ Will be removing original parking.

Yes No

17. ☐ ☐ Changes or revisions to previous approvals are proposed.
- ☐ Owner initiated
 - ☐ Owner initiated
 - ☐ Change to approved subdivision
 - ☐ Removal of subdivision restrictions
 - ☐ Increase in number of lots
 - ☐ increase in impervious cover by _____ square feet
 - ☐ Other (specify) _____
 - ☐ Change to approved or released site plan
 - ☐ Structure moved less than 25 feet
 - ☐ Building increased by _____ square feet
 - ☐ Parking increased
 - ☐ Impervious cover increased by _____ square feet
 - ☐ Building height increase
 - ☐ Site plan ordinance amendment
 - ☐ Other (specify) _____
 - ☐ Other Changes
 - ☐ Amendment to or Termination of restrictive covenant

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

- ☐ Use change requiring additional parking
- ☐ Building permit change due to landscape requirement
- ☐ Traffic Impact Analysis (TIA) revision
- ☐ Other (specify) _____

	Yes	No	
18.	<input type="radio"/>	<input type="radio"/>	New streets are planned (if yes, indicate whether public or private).
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Change of 1500 feet or more from alignment established in Austin Metropolitan Area Roadway Plan (AMARP)
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Change to arterial pavement or right-of-way width from width established in AMARP
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Extension of an existing arterial or proposal of new arterial not shown in AMARP
	Yes	No	
19.	<input type="radio"/>	<input type="radio"/>	“Shared Parking” will be used to meet parking requirements
	Yes	No	
20.	<input type="radio"/>	<input type="radio"/>	Planning to vacate or build within a street, easement, alley or right-of-way
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Existing construction is located in an easement or on public property
	Yes	No	
	<input type="radio"/>	<input type="radio"/>	Construction is proposed in an easement or on public property
	Yes	No	
21.	<input type="radio"/>	<input type="radio"/>	A consolidated review is planned: combining land use, landscape and development permit or combining subdivision and construction plans (if required).
	Yes	No	
22.	<input type="radio"/>	<input type="radio"/>	Complies with the requirements of Subchapter E.
	Yes	No	
23.	<input type="radio"/>	<input type="radio"/>	Requires an Alternative Equivalency to the Requirements of Subchapter E before a site plan or building permit may be approved.

NOTE: Provide any additional information you may have, for example, flood plain information, etc. A sketch of the property with pertinent information would be helpful. The more information you provide, the more meaningful the assessment will be. Please use the back of this page or attach additional sheets, as needed.

City of Austin-Subchapter E Applicability Form

This form is provided to help identify the appropriate forms and regulations for your proposed project. For each of the following questions please mark either the "yes" or "no" box to indicate whether the statement applies or does not apply to your proposal; and if applicable, mark additional boxes and provide requested information regarding your project. This will help guide you in the application process with regard to the applicability of Subchapter E.

1.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the property within the City of Austin Zoning Jurisdiction?
- If no, your project is exempt from the requirements of Subchapter E. If yes, please continue. . .*
2.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Does the project involve new construction, redevelopment or major rehabilitation?
- If no, your project would not be required to meet the standards of Subchapter E; If yes, please continue. . .*

Exemptions

If your proposal meets any of the following criteria, you are exempt from the requirements of Subchapter E. If none of these items apply to your proposal, then it is very likely your project must comply with the standards of Subchapter E. Please continue with the additional questions to determine exactly how they will apply.

3.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the property within one of the following zoning districts: Agriculture (AG), Aviation (AV), or Traditional Neighborhood (TN) Districts?
4.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the development affected by the University Neighborhood Overlay (UNO) district provisions?
5.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the development affected by the adopted Transit Station Area Plan?
6.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the development affected by the Robert Mueller Municipal Airport Redevelopment Plan?
7.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the development affected by an adopted downtown plan?
8.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Does the project include the development of an industrial use or data center as the sole use for the project?

Partial Exemptions

If your proposal meets any of the following criteria, you are required to meet some of the requirements of Subchapter E, but are exempt from specific standards.

9.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the project a redevelopment of a pad site building with a principal use of a restaurant or service station which will remain under the same ownership?
- If yes, the application will not be required to meet the building placement standards.*
10.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the site located in the downtown area?
- If yes, the site will not be required to meet the sidewalk and supplemental zone standards of Section 2.2. of Subchapter E, but will be encouraged to comply with the sidewalk standards of the Great Streets Development Program.*
11.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

 Is the site an interior lot with 65 feet or less of frontage on the principal street with vehicular access only from the principal street?
- If yes, the site is exempt from the building location requirements of Sections 2.2.2 and 2.2.3.*

If you answered no to items 3-11 your project must comply with the regulations of Subchapter E. If your plan/building design does not meet the standards as identified in the Subchapter you may apply for a **Minor Modification**, or an **Alternative Equivalent Compliance** prior to submitting your application for site plan review and building permits.

If you are requesting an Alternative Equivalent Compliance to the requirements of Subchapter E the forms are provided on the following pages.

Alternative Equivalent Compliance

To encourage creative and original design, and to accommodate projects where the particular site conditions or the proposed use prevent strict compliance with Subchapter E, alternative equivalent compliance allows development to occur in a manner that meets the intent of the Subchapter, through an alternative design that does not strictly adhere to the Subchapter's Standards. The procedure is not a general waiver of regulations. Alternative equivalent compliance shall not be used when the desired departure from the standards of Subchapter E could be achieved using the minor modification process in Subchapter E. Section 1.4.

Applicability

The alternative equivalent compliance procedure is available only for the following sections of Subchapter E:

- a) Section 2.2, Relationship of Buildings to Streets and Walkways;
- b) Section 2.3, Connectivity
- c) Section 2.7, Private Common Open Space and Pedestrian Amenities; and
- d) Article 3, Building Design Standards.

Overview of Procedures

The applicant may select at his or her discretion whether to seek an informal recommendation or a formal approval on a proposal for alternative compliance. The application procedure varies depending on the type of approval desired. Forms are attached for both procedures.

INFORMAL RECOMMENDATION

The applicant may request a non-binding informal recommendation on proposed alternative compliance by requesting and attending a pre-application conference. No pre-submittal is required for an informal recommendation.

The final decision on any alternative compliance proposed shall be made by the decision-making body that hears the application, which is;

- for site plans, either the Director or the appropriate Land Use Commission as specified in Chapter 25-5
- for building permits, the building official.

The check list provided on the following page can be used to prepare documents for the informal recommendation process.

FORMAL RECOMMENDATION

If an applicant desires formal approval of a proposal for alternative compliance, he or she shall request and attend a pre-application conference prior to submitting the site plan or building permit application for the development. At least ten days prior to the pre-application conference, the applicant shall submit an Alternative Compliance Concept Plan Application to Intake. The application forms are included in this packet starting on page 14.

Written approval of an Alternative Compliance Concept Plan does not authorize any development activity, but rather authorizes the applicant to prepare a site plan and/or building permit application that incorporates the approved alternative compliance, and authorizes the decision-making body to review the site plan or building permit application for compliance with the approved alternative compliance.

Informal Recommendation: Alternative Equivalent Compliance Checklist

The following checklist should be used to prepare materials for the pre-application conference for an informal recommendation.

NOTE: A PRE-APPLICATION CONFERENCE FOR AN INFORMAL RECOMMENDATION MAY BE SCHEDULED WITHOUT PRIOR SUBMISSION OF THE FOLLOWING MATERIALS. HOWEVER, APPLICANTS SHALL HAVE THE FOLLOWING MATERIALS AVAILABLE NO LATER THAN THE TIME OF THE CONFERENCE.

- _____ Written summary of the project and proposed alternative compliance
- _____ A concept plan that describes and illustrates the intended locations and quantities of the following items:
 - proposed buildings on the site
 - layout of proposed vehicle and pedestrian access and circulation systems
 - areas designated as open space
 - parking areas
 - on-site amenities
 - utilities
 - landscaping
 - describe sites topography
 - general description of environmental characteristics
- _____ If requesting alternative compliance from the standards of Article 3, *Building Design*, the concept plan could also include descriptions and illustrations of the proposed building design elements that would not comply with the standards of Subchapter E to demonstrate equivalency.

To schedule your conference please contact 974-2698 for a site plan, or 974-6406 for a building plan.

PLEASE BE ADVISED THAT AN INFORMAL RECOMMENDATION IS A NON-BINDING RESPONSE REGARDING THE APPROPRIATENESS OF THE PROPOSED ALTERNATIVE. BASED ON THE RESPONSE, THE APPLICANT MAY PREPARE A SITE PLAN OR BUILDING PERMIT APPLICATION THAT SHALL BE REVIEWED AND DECIDED UPON BY THE APPROPRIATE APPROVAL AUTHORITY.

Formal Decision: Alternative Equivalent Compliance Checklist

The following checklist must be completed for any project for which a Formal Decision on Alternative Equivalent Compliance is requested. Applications and Concept Plans for Formal Decisions on Alternative Equivalent Compliance must be submitted at least ten days prior to the scheduled pre-application conference. Approved Alternative Compliance Concept Plans expire three years after the date of approval unless a building permit is issued, or an extension is approved.

NOTE: A PRE-APPLICATION CONFERENCE WILL NOT BE SCHEDULED UNTIL ALL OF THE FOLLOWING MATERIALS ARE SUBMITTED. ALL MATERIALS ARE MANDATORY.

- _____ Application must be signed and dated by owner or agent
- _____ Application must indicate type of approval requested
- _____ Application must identify the standards from which alternative compliance is being requested
- _____ Application must provide a written description of and justification for the proposed alternative method of compliance, specifically addressing the criteria in Subchapter E, Section 1.5.4.
- _____ Application must include an Alternative Compliance Concept Plan that includes the following, in written and graphic format:
 - Description of site's topography and environmental characteristics
 - Description and illustration of the intended locations and quantities of:
 - proposed buildings on the site
 - layout of proposed vehicle and pedestrian access and circulations systems
 - areas designated as open space
 - parking areas
 - areas designated as on-site amenities
 - utilities
 - landscaping
- _____ If requesting alternative compliance from the standards of Article 3, *Building Design*, the concept plan must also include descriptions and illustrations of the proposed building design elements that would not comply with the standards of Subchapter E to demonstrate equivalency.

Please contact 974-2698 for a site plan or 974-6406 for a building plan to set up your pre-application conference.

Formal Decision:

Alternative Equivalent Compliance Application and Concept Plan

The following application must be completed for any project for which a Formal Decision on Alternative Equivalent Compliance is requested. Applications and Concept Plans for Formal Decisions on Alternative Equivalent Compliance must be submitted at least ten days prior to the scheduled pre-application conference.

PLEASE: ALL REQUESTED INFORMATION MUST BE COMPLETED.

STREET ADDRESS:

LEGAL DESCRIPTION: Subdivision –

Lot(s)
Division

Block

Outlot

I/We on behalf of myself/ourselves as authorized agent for _____ do hereby apply for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN - AMEND (circle appropriate term) in a _____ district.(zoning district)

Justification for Request

I/we _____ hereby request an alternative equivalency compliance because the proposed project cannot meet the criteria of Subchapter E as listed below because:

(please check all that apply)

- ☐ Physical characteristics unique to the subject site (such as, but not limited to, slope, size, shape, and vegetation) make strict compliance with the subject standards impracticable or unreasonable.
- ☐ Physical design characteristics unique to the proposed use or type of use make strict compliance with the subject standards impracticable or unreasonable.
- ☐ The strict adherence to Subchapter E would create an undue financial hardship for a development less than 10,000 square feet without any exterior trademark design feature.

I/we, the applicant further affirm that the alternative equivalency requested shall achieve the intent of Subchapter E Section 1.1.

ALTERNATIVE EQUIVALENCY DESCRIPTION

Please use the following space to identify the standards to which you are seeking alternative compliance and the means by which you propose to create the equivalency. These descriptions shall conform to the accompanying concept plan.

- A. The standards of Section _____ cannot be met on this site. I/we request approval of the following alternative equivalency to this standard.
- B. The standards of Section _____ cannot be met on this site. I/we request approval of the following alternative equivalency to this standard.
- C. The standards of Section _____ cannot be met on this site. I/we request approval of the following alternative equivalency to this standard.

If additional equivalencies are being requested, please attach additional sheets.

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

Compliance with Sections 2.2.2.D and 2.2.3.D: Building Placement

NOTE: If equivalency is requested above for the standards in Sections: 2.2.2.D: Building Placement (on Core Transit Corridors), or 2.2.3.D: Building Placement (on Urban Roadways), because there is not enough building frontage to meet the percent net frontage length requirement in Subchapter E, the Director may approve an alternative design provided one of the standards from Section 2.2.2.D.5 as listed below is met in addition to the criteria in Section 1.5.4.

The Director must determine the application meets the standards of Section 2.2.2.D.5 of Subchapter E as itemized below.
(PLEASE CIRCLE THE APPROPRIATE RESPONSE)

- ____ 1. Does the site have a single principal building? YES NO (if YES please continue with item (a) and (b) below, if NO please skip to Item 2.)
- ____ a. Will the proposed building have the longer side built up to the clear zone (or supplemental zone if provided)?
YES NO
- ____ b. Will at least one side of the building be built up to the clear zone (or supplemental zone if provided), with the majority of the tenant space having principal entrances facing the principal street?
YES NO
- ____ 2. Does the site have more than one principal building? YES NO (if Yes please answer items (a) and (b) below)
- ____ a. Will the longer side of any building, any portion of which is within 100 feet of the principal street, be built up to the clear zone (or supplemental zone if provided)?
YES NO
- ____ b. Will at least one side of any building, any portion of which is within 100 feet of the principal street, be built up to the clear zone (or supplemental zone if provided) and the majority of tenant spaces in the building will have principal entrances facing the principal street?
YES NO

SUBMITTAL VERIFICATION – My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay proper review of this application.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND INDICATE FIRM REPRESENTED, IF APPLICABLE.

Signed _____

Name and Firm, Printed _____

Mailing Address _____

City, State & Zip _____

Phone _____ Date _____

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

Director's Decision

Signed: _____

Date: _____

☐ Approved ☐ Denied ☐ Approved with Conditions

Expiration: _____

City of Austin-Requirements for Planned Unit Developments

The following must be completed for any project for which a Planned Unit Development is requested.

§ 2.3. TIER ONE REQUIREMENTS.

2.3.1. Minimum Requirements. All PUDs must:

- A. meet the objectives of the City Code;
- B. provide for development standards that achieve equal or greater consistency with the goals in Section [1.1](#) (*General Intent*) than development under the regulations in the Land Development Code;
- C. provide a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts, and 20 percent of the nonresidential tracts within the PUD, except that:
 - 1. a detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity; and
 - 2. the required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided;
- D. comply with the City's Planned Unit Development Green Building Program;
- E. be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations, and compatible with adjacent property and land uses;
- F. provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography, and the natural and traditional character of the land;
- G. provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities;
- H. exceed the minimum landscaping requirements of the City Code;
- I. provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails, and roadways;
- J. prohibit gated roadways;
- K. protect, enhance and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance; and
- L. include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.

2.3.2. Additional Requirements. In addition to the requirements contained in Section [2.3.1](#) (*Minimum Requirements*), a PUD containing a retail, commercial, or mixed use development must:

- A. comply with [Chapter 25-2, Subchapter E](#) (*Design Standards And Mixed Use*).
- B. inside the urban roadway boundary depicted in [Figure 2, Subchapter E of Chapter 25-2](#) (*Design Standards and Mixed Use*), comply with the sidewalk standards in [Section 2.2.2., Subchapter E, Chapter 25-2](#) (*Core Transit Corridors: Sidewalks And Building Placement*); and
- C. contain pedestrian-oriented uses as defined in Section [25-2-691\(C\)](#) (*Waterfront Overlay District Uses*) on the first floor of a multi-story commercial or mixed use building.

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

§ 2.4. TIER TWO REQUIREMENTS.

This section contains criteria for determining the extent to which development proposed for a PUD district would be superior to that which would occur under conventional zoning and subdivision regulations as required under Section [1.1](#) (*General Intent*). A proposed PUD need not address all criteria in this section to achieve superiority, and the council may consider any other criteria the council deems appropriate.

Open Space	Provides open space at least 10% above the requirements of Section 2.3.1.A . (<i>Minimum Requirements</i>). Alternatively, within the urban roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 (<i>Design Standards and Mixed Use</i>), provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.
Environment	Does not request exceptions to or modifications of environmental regulations.
	Provides water quality controls superior to those otherwise required by code.
	Uses innovative water quality controls that treat at least 25 percent additional water quality volume and provide 20 percent greater pollutant removal, in addition to the minimum water quality volume required by code.
	Provides water quality treatment for currently untreated, undeveloped off-site areas with a drainage area of at least 25 percent of the subject tract.
	Reduces impervious cover or single-family density by five percent below the maximum otherwise allowed by code or includes off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code.
	Provides minimum 50-foot setback for unclassified waterways with a drainage area of five acres or greater.
	Provides at least a 50 percent increase in the minimum waterway and critical environmental feature setbacks required by code.
	Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.
	Provides pervious paving for at least 50 percent or more of all paved areas in non-aquifer recharge areas.
	Prohibits uses that may contribute to air or water quality pollutants.
	Employs other creative or innovative measures.
Austin Green Builder Program	Provides a rating under the Austin Green Builder Program of three stars or above.
Art	Provides art approved by the Art in Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City's Art in Public Places Program or a successor program.
Great Streets	Complies with City's Great Streets Program, or a successor program. Applicable only to commercial, retail, or mixed-use development that is not subject to the requirements of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>).
Community Amenities	Provides community or public amenities, which may include spaces for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

Transportation	Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.
Building Design	Exceeds the minimum points required by the Building Design Options of Section 3.3.2. of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>).
Parking Structure Frontage	In a commercial or mixed-use development, at least 75 percent of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691(C) (<i>Waterfront Overlay District Uses</i>) in ground floor spaces.
Affordable Housing	Provides for affordable housing or participation in programs to achieve affordable housing.
Historic Preservation	Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.
Accessibility	Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.
Local Small Business	Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.

§ 2.5. DEVELOPMENT BONUSES.

2.5.1. Limitation on Development. Except as provided in Section [2.5.2](#) (*Requirements for Exceeding Baseline*), site development regulations for maximum height, maximum floor area ratio, and maximum building coverage in a PUD with residential uses may not exceed the baseline established under Section [1.3.3](#) (*Baseline for Determining Development Bonuses*).

2.5.2. Requirements for Exceeding Baseline. Development in a PUD with residential uses may exceed the baseline established under Section [1.3.3](#) (*Baseline for Determining Development Bonuses*) for maximum height, maximum floor area ratio, and maximum building coverage if:

A. the application for PUD zoning includes a report approved by the Director of the Neighborhood Housing and Community Development Department establishing the prevailing level of affordability of housing in the vicinity of the PUD, expressed as a percentage of median family income in the Austin metropolitan statistical area; and

B. the developer either:

1. provides contract commitments and performance guarantees that provide affordable housing meeting or exceeding the requirements of Section [2.5.3](#) (*Requirements for Rental Housing*) and Section [2.5.4](#) (*Requirements for Ownership Housing*); or

2. makes donations for affordable housing under Section [2.5.6](#) (*Alternative Affordable Housing Options*).

2.5.3. Requirements for Rental Housing. If rental housing units are included in a PUD, at least 10 percent of the rental units or rental habitable square footage within the PUD must:

A. be affordable to a household whose income is less than the affordability level established under Section [2.5.5](#) (*Affordability Levels*);

B. remain affordable for 40 years from the date a certificate of occupancy is issued; and

D. be eligible for federal housing choice vouchers.

2.5.4. Requirements for Ownership Housing. If owner occupied housing is included in a PUD, at least five percent of the owner occupied units or owner occupied habitable square footage within the PUD must be:

A. affordable to a household whose income is less than the affordability level established under Section [2.5.5](#) (*Affordability Levels*); and

B. transferred to the owner subject to a shared equity agreement approved by the Director of the Neighborhood Housing and Community Development Department.

2.5.5. Affordability Levels. For purposes of this subchapter, the affordability level is:

A. for a portion of a PUD within the urban roadway boundary depicted in [Figure 2](#) of [Subchapter E of Chapter 25-2](#) (*Design Standards and Mixed Use*), 80% of the median family income in the Austin metropolitan statistical area;

B. for a portion of a PUD outside the urban roadway boundary depicted in [Figure 2](#) of [Subchapter E of Chapter 25-2](#) (*Design Standards and Mixed Use*), 60% of the median family income in the Austin metropolitan statistical area; or

C. if the Council finds that the prevailing level of affordability of housing in the vicinity of the PUD is lower than the level applicable under Paragraph A or B, any lesser percentage of the median family income in the Austin metropolitan statistical area established by the Council.

DEVELOPMENT ASSESSMENT & ALTERNATIVE EQUIVALENT COMPLIANCE

2.5.6. Alternative Affordable Housing Options. Development within a PUD may exceed baseline standards as provided in [Section 2.5.2.B.2](#) (*Requirements for Exceeding Baseline*) if the developer:

A. donates to the Austin Housing Finance Corporation land within the PUD that is appropriate and sufficient to develop 20 percent of the residential habitable square footage planned for the PUD, as determined by the Director of the Neighborhood Housing and Community Development Department; or

B. subject to approval by the city council, donates the amount established under Section [2.5.7](#) (*In Lieu Donation*) for each square foot of climate controlled space within the PUD to a Housing Assistance Fund to be used for producing or financing affordable housing, as determined by the Director of the Neighborhood Housing and Community Development Department.

2.5.7. In Lieu Donation. The amount payable under Section [2.5.6.B](#) (*Alternative Affordable Housing Options*) shall be 60 percent of the fee established under Section [25-2-586\(I\)](#) (*Affordable Housing Incentives in a Central Business District or Downtown Mixed Use Zoning District*) or any successor fee established under the Austin Downtown Plan.